



City of Nashua
Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
WEB www.nashuanh.gov

SPECIAL EXCEPTION APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL NOT BE ACCEPTED

I. SPECIAL EXCEPTION INFORMATION

1. ADDRESS OF REQUEST 29 SULLIVAN ST, NASHUA NH 03064

Zoning District R-A

Sheet 61

Lot 110

2. SPECIAL EXCEPTION(S) REQUESTED:

Permission to allow part-time home occupation in a secondary structure.

II. GENERAL INFORMATION

1. **APPLICANT / OPTIONEE** (List both individual name and corporate name if applicable)

(Print Name): TIMOTHY HOGAN

Applicant's signature [Signature]

Date 01/07/2022

Applicant's address 29 SULLIVAN ST, NASHUA NH 03064

Telephone number H: NONE

C: 603-204-8323

E-mail: v8hntr@hotmail.com

2. **PROPERTY OWNER (Print Name):** TIMOTHY HOGAN c/o HODA44 REV LIVING TRUST

*Owner's signature [Signature]

Date 01/07/2022

Owner's address 29 SULLIVAN ST, NASHUA NH 03064

Telephone number H: NONE

C: 603-204-8323

E-mail: v8hntr@hotmail.com

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY

Date Received _____

Date of hearing 2-8-22

Application checked for completeness: CP

A# _____

Board Action _____

\$ _____ application fee ☐

Date Paid _____

Receipt # _____

\$ _____ signage fee ☐

Date Paid _____

Receipt # _____

\$ _____ certified mailing fee ☐

Date Paid _____

Receipt # _____

Land Use Code Section(s) Requesting Special Exception From: _____

IV. SPECIAL EXCEPTION – ADDITIONAL QUESTIONS

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

1. Total number of employees Number of employees per shift
2. Hours and days of operation
3. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors
4. Number of daily and weekly commercial deliveries to the premises
5. Number of parking spaces available

6. Describe your general business operations:

Motorcycle service, specializing in suspension of primarily race bikes.

7. Describe any proposed site renovations including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access, and circulation:

None

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction. I understand that only those points specifically mentioned are affected by action taken on this appeal.

Signature of Applicant

TIMOTHY HOGAN

Print Name

Date

01/07/2022

Date



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Planning Department
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VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL NOT BE ACCEPTED

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 29 SULLIVAN ST, NASHUA NH 03064

Zoning District R-A

Sheet 61

Lot 110

2. VARIANCE(S) REQUESTED:

Permission to allow part-time home occupation in a secondary structure.

II. GENERAL INFORMATION

1. **APPLICANT / OPTIONEE** (List both individual name and corporate name if applicable)

(Print Name): TIMOTHY HOGAN

Applicant's signature [Signature]

Date 01/07/2022

Applicant's address 29 SULLIVAN ST, NASHUA NH 03064

Telephone number H: NONE

C: 603-204-8323

E-mail: v8hntr@hotmail.com

2. **PROPERTY OWNER (Print Name):** TIMOTHY HOGAN c/o HODA44 REV LIVING TRUST

*Owner's signature [Signature]

Date 01/07/2022

Owner's address 29 SULLIVAN ST, NASHUA NH 03064

Telephone number H: NONE

C: 603-204-8323

E-mail: v8hntr@hotmail.com

***Agents and/or option holders must supply written authorization to submit on behalf of owner(s).**

OFFICE USE ONLY

Date Received _____

Date of hearing 2-8-22

Application checked for completeness: CB

A# 22-0008

Board Action _____

\$ _____ application fee ☐

Date Paid _____

Receipt # _____

\$ _____ signage fee ☐

Date Paid _____

Receipt # _____

\$ _____ certified mailing fee ☐

Date Paid _____

Receipt # _____

Land Use Code Section(s) Requesting Variances From: _____

III. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attach additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance, and it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

No changes will be made to the property. The detached garage in backyard was built to store my personal motorcycles and to work on them as a hobby. The variance would be to allow me to use what I currently have in place as a part-time business.

2. **The proposed use will observe the spirit of the ordinance**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

The ordinance for home occupation (190.47) does not allow for use of the non-principal structure to be used for a home occupation. The detached garage was originally built so that it would be similar to other properties in the neighborhood.

3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

The benefit would be great as I could make money doing what I enjoy in a preexisting environment when not at my full-time teaching job. I see no downside as the volume of work is very low.

4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

There will be no modification to the property; if granted, the work is suspension-related so motorcycles will not be running for the vast majority of work.

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship,** because: (The applicant must establish that because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

"Home occupation" states it must be in "the principle building" The secondary structure was built as a detached-garage to blend in with the current setting. The second building (detached-garage in backyard) is currently used to store my and my family's motorcycles. To allow its use as a part-time home occupation seems a reasonable use.

IV. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees Number of employees per shift
 b. Hours and days of operation
 c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors
 d. Number of daily and weekly commercial deliveries to the premises
 e. Number of parking spaces available
 f. Describe your general business operations:


Motorcycle service, specializing in suspension of primarily race bikes.

b. (cont'd): Part-time days/hours occur around primary occupation of teaching college automotive from Sep to May.

- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation:

No changes will be made to the property.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction. I understand that only those points specifically mentioned are affected by action taken on this appeal.

Signature of Applicant 

TIMOTHY HOGAN

Print Name

Date

01/07/2022

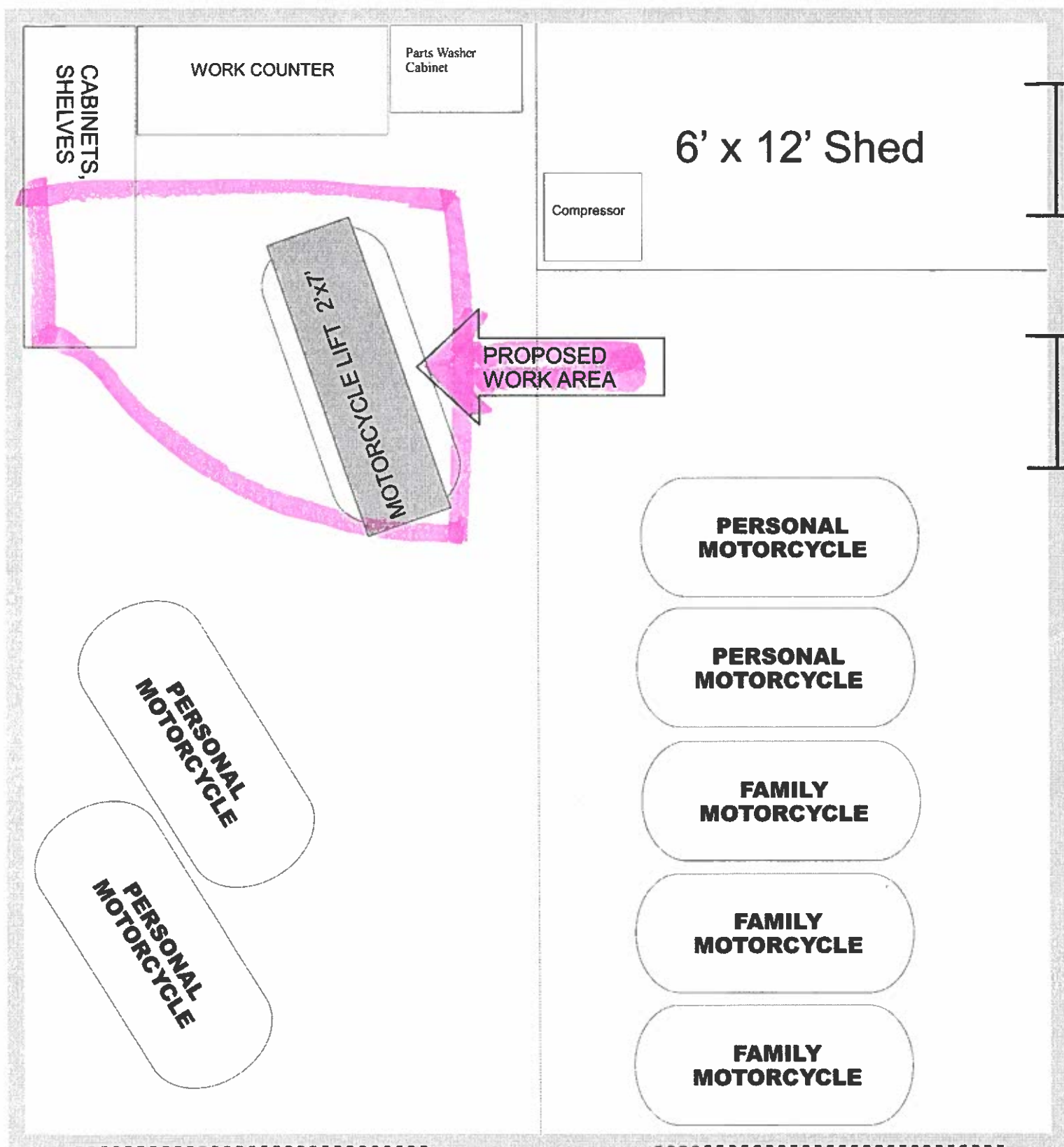
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

☐ I will pick it up at City Hall

☒ Please email it to me at

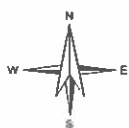
☐ Please mail it to me at



24' x 26'



29 Sullivan St





29 Sullivan St

